

DEPARTMENT OF SOCIAL SERVICES

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June 4, 1985



ALL-COUNTY INFORMATION NOTICE I-42-85

- TO: All Public and Private Adoption Agencies  
All County Welfare Departments  
All SDSS Adoptions District Offices

SUBJECT: California Task Force of the American Bar Association's Legal Project  
on Adoption of Children With Special Needs

REFERENCE:

California was one of the five target states for the American Bar Association's Legal Project on Adoption of Children with Special Needs. This project was funded by a Federal Adoption Opportunities Grant. Active members of the project's California Task Force included: Elizabeth Brandt, State Department of Justice; Assemblyman Charles Calderon; Larry Cory, Los Angeles County Counsel; Louise Fleenor, Children's Home Society of California; Judge Barbara Johnson, Los Angeles Superior Court; Helen Ramirez, Los Angeles County Department of Children's Services; Donna Salisbury, parent; Dorothy Tanaka, Los Angeles County Department of Children's Services; Thomas Tyrrell, Los Angeles County Counsel; Gloria Waldinger, UCLA School of Social Welfare; Janet Wiig, Los Angeles County Juvenile Court Dependency Coordinator; and Sharrell Blakeley, State Department of Social Services.

The Task Force met on four occasions and considered several issues in depth, including predictive review of a child's future for adoptive services, guardianship as an alternative to adoption or long-term foster care and adoptability criteria.

A copy of the "Working Statement on Adoptability" adopted by the Task Force is attached. We believe this statement may be of significant interest to all agencies providing child welfare and adoption services in California.

Questions regarding this statement should be addressed to Marsha D. McNeil, Chief, Adoptions Program Development Bureau at the above address.

A handwritten signature in cursive script, appearing to read 'Loren D. Suter'.

LOREN D. SUTER  
Deputy Director  
Adult and Family Services Division

cc: CWDA

Attachment

WORKING STATEMENT ON ADOPTABILITYCalifornia Task Force of the American Bar Association's  
Legal Project on Adoption of Children with Special Needs

This statement assumes that the primary goal of adoption service is to secure families for children who are in need of permanent substitute care rather than to provide children for families. The service is child-centered and as such must continually adapt to meet the changing needs of waiting children, which increasingly includes older, handicapped, minority children and sibling groups.

Optimally a child's likelihood of adoption should be limited only by his or her legal availability and ability to benefit through childhood and adulthood from the family relationship established by adoption. In reality, the likelihood of a child's adoption at any given point in time is further determined by the interaction of three factors:

- I. The child's functioning
- II. The availability of adoptive families, and
- III. Agency Resources and Efforts on behalf of children

### I. The Child's Functioning

A child likely to benefit from adoption is one who has the ability or reasonable potential to 1) establish relationships, 2) live in a family situation, and 3) benefit from the long-term commitment of a family that is expected to endure through adult years.

Given this definition, multiple factors are assessed to determine what strengths the child has in each of the following areas:

- current functioning in home, school, community
- relationship with adults, peers
- health, including the presence of seriously debilitating physical and/or mental conditions
- impact of placement history
- capacity to give and receive affection
- relationship between chronological age and stage of psycho-social development
- willingness and ability to participate in the adoptive process

### II. Availability of Adoptive Families

The likelihood of a child's adoptive placement is further determined by the availability of families to meet his or her particular needs. Increasingly diverse kinds of families should be sought to expand the pool of prospective adoptive parents. Adoption agencies should give favorable consideration to older individuals, single parents, families with modest incomes, as well as individuals with handicapping conditions. Adoption subsidies are also available to reduce the economic impact of adoption. A healthy diversity of life styles and parenting patterns should be sought to maximize the opportunities for adoption of waiting children. Agencies have the responsibility to clearly communicate relevant assessment factors to applicants.

There continues to be insufficient numbers of adoptive families for children, particularly those over the age of ten, of minority background, those having

multiple physical and/or mental handicapping conditions, sibling groups and children exhibiting severe acting out behaviors.

Agency efforts should be directed toward locating families which most closely reflect the racial, cultural and ethnic backgrounds of waiting children.

### III. Agency Resources and Efforts on Behalf of Children

The adoption agency is the institution which interfaces between the waiting children and prospective adoptive parents. An agency program should include the following elements to insure successful adoption outcomes for children.

1. An organizational philosophy that conveys a belief in the adoptability of children and a commitment to securing families.
2. Written policies and procedures that support the organizational philosophy.
3. Highly skilled, professional staff, in terms of educational qualifications and ongoing in-service training.
4. Availability of adequate resources to develop and maintain a needed level of adoption services.
5. Availability of and access to adequate judicial resources.
6. An established forum between the court and agency for ongoing development of issues, policies and program.
7. A consistent, aggressive program of outreach and recruitment efforts in all social, economic and cultural communities, geared to the specific needs of waiting children.
8. The involvement of staff and community persons in collaborative efforts to recruit and provide services to families which most closely reflect the racial, cultural and ethnic background of children needing placement.
9. Willingness to consider broadened eligibility criteria for adoptive families to include persons of diverse social, economic and cultural backgrounds.
10. Consistent use of exchanges and inter-agency placement resources for waiting children.
11. Recognition at the State and local levels of the need to provide ongoing post-finalization supportive services in addition to financial subsidies, to adoptive families.
12. Clear communication to adoptive families regarding the child's legal, social and medical circumstances.